

## Message Text

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ORIGIN L-03

INFO OCT-01 ISO-00 AF-10 INR-10 RSC-01 /025 R

DRAFTED BY L/AF:BKHUFFMAN:MMP

APPROVED BY AF/E:WBCOOTE

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P 271830Z JUN 74

FM SECSTATE WASHDC

TO AMEMBASSY LUSAKA PRIORITY

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STADIS////////////////////////////////////

E.O. 11652: N/A

TAGS: PFOR, ZA

SUBJECT: SOGHOIAN

1. JUST WHEN WE HAD THOUGHT SOGHOIAN PROBLEM FINALLY  
RESOLVED, SOGHOIAN WAS SUBPOENAED TO APPEAR BEFORE FEDERAL  
GRAND JURY TO ANSWER QUESTIONS WHICH AROSE DURING COURSE OF  
INVESTIGATION OF CASE RECENTLY SETTLED.

2. JUSTICE MAINTAINS SOGHOIAN WAS INFORMED BEFORE CASE  
SETTLED THAT JUSTICE WOULD EXPECT HIM TO GO BEFORE GRAND  
JURY OR MEET WITH FEDERAL AUTHORITIES AND ANSWER QUESTIONS  
RELATING TO HIS PAST ACTIVITIES. JUSTICE STATES SOGHOIAN  
HAS PROVEN UNWILLING COOPERATE WITH AUTHORITIES AND  
ACCORDINGLY SUBPOENA ESSENTIAL. SOGHOIAN'S ATTORNEY  
CONTESTS JUSTICE POSITION AND MAINTAINS PRESENT SUBPOENA IS  
VIOLATION OF BARGAIN SETTLING CASE.

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3. SOGHOIAN APPEARED BEFORE GRAND JURY JUNE 26, REFUSED TO  
ANSWER QUESTIONS PUT TO HIM ON NUMBER OF GROUNDS INCLUDING  
FIFTH AMENDMENT, WAS THEN DISMISSED AND REQUESTED TO RETURN  
JULY 10. JUSTICE NOW IN PROCESS PRODUCING GRANT OF  
IMMUNITY FOR SOGHOIAN, AFTER WHICH HE CAN BE COMPELLED  
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ANSWER QUESTIONS IN GRAND JURY OR FACE CONTEMPT CITATION.

4. THOUGH GRAND JURY PROCEEDINGS SECRET AND GRANT OF IMMUNITY WILL ENSURE SOGHOIAN WILL NOT BE PROSECUTED ON

BASIS INFORMATION DISCLOSED IN HIS TESTIMONY, AMBASSADOR MWALE CONCERNED OVER POTENTIAL FOR REVELATION OF GRZ INTELLIGENCE ACTIVITIES BY SOGHOIAN UNDER QUESTIONING. AMBASSADOR REQUESTED DEPARTMENT FIRST POSTPONE GRAND JURY PROCEEDING THEN STOP IT IF SUBJECT MATTER OF INVESTIGATION TOUCHED IN ZAMBIAN INTERNAL SECURITY.

5. WE HAVE ADVISED AMBASSADOR THAT DEPARTMENT UNABLE INTERFERE WITH GRAND JURY INVESTIGATION INVOLVING AMERICAN CITIZEN. AT SAME TIME WE HAVE DISCUSSED CASE WITH U.S. ATTORNEY'S OFFICE AND SOGHOIAN'S ATTORNEY AND BOTH SEEM WILLING TO ATTEMPT TO REACH ACCOMMODATION WHEREBY SOGHOIAN COULD MEET WITH FEDERAL AUTHORITIES TO DISCUSS ONLY HIS ACTIVITIES IN U.S. WITHOUT GOING BEFORE GRAND JURY AGAIN. FROM GRZ VIEWPOINT, THIS SHOULD BE PREFERABLE SINCE SOGHOIAN'S COUNSEL COULD BE PRESENT (HE WOULD BE EXCLUDED FROM GRAND JURY PROCEEDING) AND GENERAL GROUND RULES COULD BE WORKED OUT. FEDERAL AUTHORITIES QUESTIONS WOULD BE GENERALLY RELATED TO RECENTLY SETTLED CASE WHEREAS CURIOUS GRAND JUROR MIGHT WISH PROBE SOGHOIAN'S ACTIVITIES IN LUSAKA. AMBASSADOR MWALE SEEMED MOST CONCERNED ABOUT LATTER POSSIBILITY. ASSISTANT U.S. ATTORNEY HOWEVER SEEMED PRIMARILY INTERESTED IN SOGHOIAN'S ACTIVITIES HERE-- SPECIFICALLY, HIS ACQUISITION AND TRANSFER OF BUGGING EQUIPMENT, HIS PROBES OF HIGHLY CLASSIFIED USG EMPLOYEES AND HIS ACQUISITION AND POSSESSION OF CLASSIFIED MATERIALS.

6. IN LIGHT OF FOREGOING, THERE IS POSSIBILITY SOGHOIAN'S COUNSEL AND U.S. ATTORNEY'S OFFICE MIGHT WORK OUT SATISFACTORY MEETING WITHOUT ANOTHER GRAND JURY APPEARANCE. THOUGH THIS WILL NOT PLEASE GRZ, AMBASSADOR MWALE SHOULD FIND IT PREFERABLE TO UNPREDICTABLE GRAND JURY PROCEEDING.

7. IN EVENT GRZ OFFICIALS RAISE LATEST SOGHOIAN PROBLEM WITH YOU, YOU MAY RELATE FOREGOING BACKGROUND; ADVISE THEM DEPT IS FOLLOWING MATTER CLOSELY, STRESS SECRECY OF LIMITED OFFICIAL USE

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GRAND JURY PROCEEDING AND SIGNIFICANCE OF PROSPECTIVE GRANT OF IMMUNITY TO SOGHOIAN; OUR HOPE DISAGREEMENTS BETWEEN FEDERAL INVESTIGATORS AND SOGHOIAN CAN BE RESOLVED WITHOUT ANOTHER GRAND JURY APPEARANCE; OUR INABILITY INTERFERE WITH GRAND JURY INQUIRY OF U.S. CITIZEN SHOULD JUSTICE DEPT ULTIMATELY JUDGE THIS COURSE ESSENTIAL. SISCO

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## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** ARRESTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 JUN 1974  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** boyleja  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** BKHUFFMAN:MMP  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Office:** ORIGIN L  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** STADIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** STADIS  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** boyleja  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 04 SEP 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <04 SEP 2002 by WorrelSW>; APPROVED <19 MAR 2003 by boyleja>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SOGHOIAN  
**TAGS:** PFOR, ZA, US, (SOGHOIAN)  
**To:** LUSAKA  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005